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Application No.: 10/664,671

Docket No.: JCLA12230

REMARKSPresent Status of the Application

Claims 13-25 had been allowed. Under 35 U.S.C. 102(b), claims 1-2, 4-9 and 12 were rejected as being anticipated by JP 05-112778 (JP778), and claims 1-8 rejected by CAPLUS 1967: 489834 ('834). Claims 10 & 11 were objected to as depending upon rejected claims.

In response thereto, Applicants have further amended independent claims 1 and 7, amended dependent claims 5 and 8 accordingly, and submitted the following remarks. Reconsideration of claims 1-12 is respectfully requested.

Discussions of Rejections to Claims 1-12 under 35 U.S.C. 102(b)

Claims 1-2, 4-9 and 12 were rejected as being anticipated by JP778 and claims 1-8 rejected by '834. Please note that independent claims 1 and 7 have been further amended to remove "hydrogen" from the scope of  $R^1$  and " $-OCF_2-$ " & " $-CF_2O-$ " from the scope of  $Z^1-Z^3$ . Dependent claims 5 and 8 are also amended accordingly. It is noted that the above removals do not raise any new issue.

Formula I in JP778 is:

$$R^1-(A^1)_m-Y^1-A^2-Z-CF_2-A^3-Y^2-(A^4)_n-R^2,$$

wherein  $-Z-CF_2-$  ( $Z=O$  or  $S$ ) corresponds to  $Z^1$ ,  $Z^2$  or  $Z^3$  in claim 1/7 and  $R^1-(A^1)_m-Y^1-$  can be unsubstituted or substituted acryl.

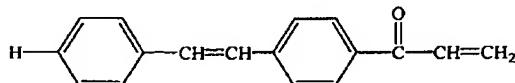
Since  $-OCF_2-$  and  $-CF_2O-$  have been removed from the scope of  $Z^1-Z^3$ , the scope of amended independent claim 1/7 does not overlap with that of formula I in JP778.

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On the other hand, the compound "RN 17451-26-2" in '834 having the structure of



corresponds to a compound of previous claim 1/7 where R<sup>1</sup> is H, m+n+q=1, A<sup>1</sup>, A<sup>2</sup> or A<sup>3</sup> is 1,4-phenylene, Z<sup>1</sup>, Z<sup>2</sup> or Z<sup>3</sup> is -CH=CH-, A<sup>4</sup> is 1,4-phenylene, Z<sup>4</sup> is single bond and R<sup>2</sup>=R<sup>3</sup>=R<sup>5</sup>=H.

Since hydrogen has been removed from the scope of R<sup>1</sup>, the scope of amended claim 1/7 does not cover the compound "RN 17451-26-2" in '834.

For at least the above reasons, Applicants respectfully submit that amended claims 1 & 7 and claims 2-6 & 8-12 dependent therefrom all patentably define over the prior art.

### CONCLUSION

For at least the foregoing reasons, it is believed that the pending claims 1-12 are in proper condition for allowance like claims 13-25 are. If the Examiner believes that a telephone conference would expedite the examination of the above-identified patent application, the Examiner is invited to call the undersigned.

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Respectfully submitted,  
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